

Application Serial No.: 10/563,216
Amendment filed: July 7, 2008
Responding to office action dated: April 7, 2008

REMARKS

Claim 1 has been amended without changing the scope thereof. All of the amendments are fully supported by the original disclosure of this application (in at least the original specification, pages 3-4 and Figures 7 and 10) and therefore do not constitute the introduction of any new matter into this case.

Claims 1-9 remain pending upon entry of the amendments, with claim 1 being independent.

Priority and Information Disclosure Statements

Applicants thank the Examiner for acknowledging the submission of papers under 36 U.S.C. § 119 and considering the earlier filed Information Disclosure Statements.

Rejection of claims 1-9 under 35 U.S.C. § 101 as being directed to non-statutory subject matter

In the rejection of the claims under 35 U.S.C. § 101, the Examiner indicated that the language of the claims raise a question as to whether the claims are directed to patentable subject matter. Applicants respectfully traverse this rejection.

For the sole purpose of overcoming this rejection and without narrowing the scope of the claim, independent claim 1 has been amended to recite:

A method for generating a Low Density Parity Check (LDPC) code consisting of an information-part matrix and a parity-part matrix in a LDPC code generator, comprising the steps of: ...

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In other words, the claims of the present application are directed, at least, to Low Density Parity Check (LDPC) code that is generated in a LDPC code generator.

The method for generating LPDC code in a LDPC code generator, as claimed and detailed in at least in the Background of the Invention and the Summary of Invention (pages 1-4 of the original specification), meets the statutory requirements of patentability under 35 U.S.C. § 101, since the claims are directed to at least a new and useful process or any improvement thereof. The claims are directed to a technology art, environment or machine which would result in producing a concrete, useful and tangible result to form the basis of statutory subjected matter under 35 U.S.C. § 101.

Hence, withdrawal of this rejection is respectfully requested.

Conclusion

Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.